



UNITED STATES GOVERNMENT  
**NATIONAL LABOR RELATIONS BOARD**  
FREEDOM OF INFORMATION ACT BRANCH  
Washington, D.C. 20570

Via email

July 29, 2022

Re: FOIA Request NLRB-2022-001523

Dear Jennifer Myhre (Sacred Heart Community Service):

This is in response to your request, under the Freedom of Information Act (FOIA), 5 U.S.C. § 552, received on July 12, 2022, in which you seek “any National Labor Relations Board complaints, cases, documents or decisions involving DLR Group from 1990 to 2022.” You assumed financial responsibility for the processing of your request in the amount of \$25.00.

We acknowledged your request on July 12, 2022.

Various electronic searches were conducted, which consisted of querying i) the Agency’s electronic casehandling system, NxGen, which generally maintains NLRB case records from 2011 to present; ii) prior FOIA requests processed by this office for records previously contained in our legacy database Case Activity Tracking System (CATS) for cases filed from approximately FY2000-2010; (iii) the Agency’s custom document search tool, Integrated Search, or iSearch; and iv) the Agency’s public website. The only record located was a spreadsheet containing basic case information for a single case: *DLR Group, Inc.*, Case No. 18-CA-16905. The spreadsheet is attached.

Pursuant to the Agency’s record retention and disposition policy, records are retained for a six-year period, which commences at the close of the calendar year during which the case is closed. The records are then destroyed, unless they are selected for permanent retention based on their legal significance. Given the timeframe of the request, a further search was made of the list of permanently retained cases maintained by the Agency’s Case Records Unit for cases that closed between 1982 and 2010, and it was confirmed that neither Case No. 18-CA-16905, nor any other case where “DLR Group” was the charged party, was selected for permanent retention

For the purpose of assessing fees, we have placed you in Category D, the “all other requesters” category, because you do not fall within any of the other fee categories. Consistent with this fee category, you will be assessed charges to recover the reasonable direct costs for searching for the requested records,

except that you will not be charged for the first two hours of search. NLRB Rules and Regulations, 29 C.F.R. § 102.117(d)(2)(ii)(D). Charges for all categories of requesters are \$9.25 per quarter hour of professional time. 29 C.F.R. § 102.117(d)(2)(i).

Less than two hours of professional time was expended in searching for the requested material. Accordingly, there is no charge assessed for this request.

You may contact Jodilyn Breirather, the FOIA Specialist who processed your request, at (202) 368-1927 or by email at Jodilyn.Breirather@nrlb.gov, as well as the Agency's FOIA Public Liaison, for any further assistance and/or to discuss any aspect of your request. The FOIA Public Liaison, in addition to the FOIA Specialist, can further explain responsive and releasable agency records, suggest agency offices that may have responsive records, and/or discuss how to narrow the scope of a request in order to minimize fees and processing times. The contact information for the FOIA Public Liaison is:

Kristine M. Minami  
FOIA Public Liaison  
National Labor Relations Board  
1015 Half Street, S.E., 4<sup>th</sup> Floor  
Washington, D.C. 20570  
Email: FOIAPublicLiaison@nrlb.gov  
Telephone: (202) 273-0902  
Fax: (202) 273-FOIA (3642)

After first contacting the Agency, you may additionally contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA dispute resolution services it offers. The contact information for OGIS is:

Office of Government Information Services  
National Archives and Records Administration  
8601 Adelphi Road-OGIS  
College Park, Maryland 20740-6001  
Email: ogis@nara.gov  
Telephone: (202) 741-5770  
Toll free: (877) 684-6448  
Fax: (202) 741-5769

You may obtain a review of this determination under the NLRB Rules and Regulations, 29 C.F.R. § 102.117(c)(2)(v), by filing an administrative appeal with the Division of Legal Counsel (DLC) through FOIAonline at:  
<https://foiaonline.gov/foiaonline/action/public/home> or by mail or email at:

July 29, 2022

Page 3

Nancy E. Kessler Platt  
Chief FOIA Officer  
National Labor Relations Board  
1015 Half Street, S.E., 4<sup>th</sup> Floor  
Washington, D.C. 20570  
Email: [DLCFOIAAppeal@nlrb.gov](mailto:DLCFOIAAppeal@nlrb.gov)

Any appeal must be postmarked or electronically submitted within 90 calendar days of the date of this letter. Any appeal should contain a complete statement of the reasons upon which it is based.

Please be advised that contacting any Agency official (including the FOIA Specialist, FOIA Officer, or the FOIA Public Liaison) and/or OGIS does not stop the 90-day appeal clock and is not an alternative or substitute for filing an administrative appeal.

Sincerely,

/s/ *Synta E. Keeling*

Synta E. Keeling  
FOIA Officer

Attachment: (one Excel spreadsheet)